

AN ORDINANCE INCREASING ESTIMATED RECEIPTS AND APPROPRIATIONS IN THE SPECIALLY FUNDED CAPITAL PROJECTS FUND IN THE AMOUNT OF \$80,000.00 FROM AVAILABLE FUNDS FOR THE PURPOSE OF FUNDING A DESIGN AGREEMENT WITH PHENOMENARTS, INC. FOR COLLABORATIVE DESIGN OF INTEGRAL PUBLIC ART / DESIGN ENHANCEMENTS FOR THE CITY PARKING GARAGE; PROVIDING FOR A SEVERABILITY CLAUSE; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION 1.

That in addition to those amounts allocated to the various City departments for Fiscal Year 2005-2006 in the Budget of the City Manager, there shall also be increased estimated receipts and appropriations in the Specially Funded Capital Projects Fund in the amount of \$80,000.00 from available funds for the purpose of funding a Design Agreement with PhenomenArts, Inc. for collaborative design of integral public art / design enhancements for the City Parking Garage.

SECTION 2.

That should any portion, section or part of a section of this ordinance be declared invalid, inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way impair the remaining portions, sections, or parts of sections of this ordinance, which said remaining provisions shall be and remain in full force and effect.

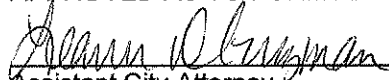
SECTION 3.

That this ordinance shall be cumulative of Ordinance No. 16582 and all other ordinances and appropriations amending the same except in those instances where the provisions of this ordinance are in direct conflict with such other ordinances and appropriations, in which instance said conflicting provisions of said prior ordinances and appropriations are hereby expressly repealed.

SECTION 4.

This ordinance shall take effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:


Assistant City Attorney

ADOPTED AND EFFECTIVE: March 21, 2006

City of Fort Worth, Texas
Mayor and Council Communication

COUNCIL ACTION: Approved on 3/21/2006 - Ordinance No. 16860-03-2006 & Ordinance No. 16861-03-2006

DATE: Tuesday, March 21, 2006
LOG NAME: 03ARTPARKGARAGE

REFERENCE NO.: C-21355

SUBJECT:

Adoption of Appropriation Ordinances and Authorization to Enter into a Design Agreement with PhenomenArts, Inc., for Collaborative Design of Integral Public Art/Design Enhancements for the City Parking Garage

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the attached appropriation ordinance increasing appropriations in the Culture and Tourism Fund by \$80,000.00 and decreasing the unreserved, undesignated fund balance by the same amount;
2. Authorize the transfer of \$80,000.00 from the Culture and Tourism Fund to the Specially Funded Capital Projects Fund;
3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Specially Funded Capital Projects Fund by \$80,000.00;
4. Authorize the City Manager to enter into a Design Agreement with PhenomenArts, Inc. for design of integral public art/design enhancements, in collaboration with Jacobs Facilities, Inc., for the City Parking Garage, in an amount not to exceed \$80,000.

DISCUSSION:

The Design Agreement with PhenomenArts, Inc. will result in a collaboratively designed, interactive public art/design enhancement project that incorporates colored glass, light and sound into the fabric of the City Parking Garage's architecture. The public art should enhance the experience of Convention Center visitors and parking garage patrons, who will encounter and activate a series of lights and colorful shadows that could provide way-finding cues, as well as unique Fort Worth sounds, befitting of the City's hospitality district. It is anticipated that the fabrication and installation of the resulting art components will be handled through an Artwork Commission Contract between the City and PhenomenArts, Inc., in collaboration with the City's general contractor for the Parking Garage.

Project funding is consistent with the ordinance creating the Public Art Program and the Fort Worth Art Commission's Draft *Long Range Public Art Plan for the Water Fund*, presented to the City Council on November 14, 2005, which recommends an allocation equivalent to 2% of a projects budget for public art/design enhancements for City capital projects. The project was included in the Fort Worth Public Art Program's FY2005-06 Annual Work Plan, adopted by the City Council on October 25, 2005, (M&C C-21111) as a part of the City's agreement with the Arts Council of Fort Worth and Tarrant County, Inc., for administration of the Fort Worth Public Art Program.

BACKGROUND:

Using the process and guidelines established in the *Fort Worth Public Art Master Plan* (adopted by the City Council in September 2003), an artist selection panel, chaired by Council member Wendy Davis and including representatives of Jacobs Facilities, Inc., the Fort Worth Art Commission, and the community, reviewed the qualifications of 20 local and national artists from the *Pre-Qualified List of Established Public Artists* on January 18, 2006. On February 2, 2006, the artist selection panel conducted telephone interviews with the three finalists selected and then recommended Christopher Janney, President of PhenomenArts, Inc., for the project.

Selection Panel (Voting):**Council Member and Appointees:**

- * Council Member Wendy Davis
- * Sandra Dennehy, AIA
- * Dr. David Stone

Fort Worth Art Commission Appointees:

- * Kirk Millican, AIA, Fort Worth Art Commission Representative
- * Carol Ivey, Artist

Jacobs Facilities, Inc. Representative:

- * Brent Byers, AIA Advisors

Non-Voting Representatives of:

- * Downtown Fort Worth Initiatives, Inc.
- * Transportation & Public Works Department
- * Public Events Department
- * Jacobs Facilities, Inc. Staff

On February 14, 2006, the Fort Worth Art Commission reviewed the artist selection panel's recommendation and made a formal recommendation to the City Council to engage Christopher Janney, PhenomenArts, Inc., for the Parking Garage project and to dedicate an amount not to exceed \$400,000 for the project. It is proposed that funding for the design portion of the City Parking Garage public art project come from the Culture and Tourism Fund (GG04). Based on funding availability in the Culture and Tourism Fund at the time of art fabrication and installation, staff will make a funding recommendation to Council at that time, which will utilize some combination of Culture and Tourism Fund monies and Water funds in the Specially Funded Capital Projects Fund. The City Parking Garage is being funded from a combination of Culture and Tourism Fund dollars and revenue bonds financed by parking revenue.

This project is physically located in COUNCIL DISTRICT 9, but benefits all Fort Worth residents.

FISCAL INFORMATION/CERTIFICATION:

The Finance Director certifies that upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the current capital budget, as appropriated, of the Specially Funded Capital Projects Fund. The unreserved, designated fund balance of the Culture and Tourism Fund will be \$14,225,306.00 after this appropriation.

TO Fund/Account/Centers

1.) GG04 538070 0240400	\$80,000.00
3.) C291 472004 031980013630	\$80,000.00
3.) C291 531200 031980013630	\$80,000.00

FROM Fund/Account/Centers

2.) GG04 538070 0240400	\$80,000.00
4.) C291 531200 031980013630	\$80,000.00

Submitted for City Manager's Office by:

Libby Watson (6183)

Originating Department Head:

Bridgette Garrett (8518)

Sandy Oliver (7371)

Additional Information Contact:
